

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

BURNEY ROBINSON,

Case No. 3:23-cv-316

Plaintiff,

vs.

Q-LINE TRUCKING, LTD.
AND EDUARD FAUL,

District Judge Michael J. Newman,
Magistrate Judge Caroline H. Gentry

Defendants.

ORDER DENYING AS MOOT DEFENDANT'S MOTION TO DISMISS (Doc. No. 17)

This is a civil case in which Plaintiff Burney Robinson alleges that Defendant Eduard Faul was negligently driving a semi-truck when he collided with Plaintiff's semi-truck. Doc. No. 1 at PageID 2-3. Plaintiff also alleges that Defendant Q-Line Trucking, Ltd. ("Q-Line") is vicariously liable for the damages caused by Faul's negligent actions. *Id.* at PageID 3-4. The case is before the Court on Q-Line's Fed. R. Civ. P. 12(b)(2) motion to dismiss for lack of personal jurisdiction. Doc. No. 17. Plaintiff has not responded to this motion, and the time to do so has passed. Thus, this motion is ripe for review.

Plaintiff originally filed his complaint in the Northern District of Illinois. Doc. No. 1. While the case was still pending in the Northern District of Illinois, Q-Line filed a motion to dismiss due to that court's lack of personal jurisdiction over Defendants in the state of Illinois. Doc. No. 17. However, the case was later transferred to this Court. Doc. Nos. 19, 20. Q-Line subsequently filed a motion to transfer venue back to the Northern District of Illinois. Doc. No. 25. The Court denied the motion, and this case remains in the Southern District of Ohio. Doc. No. 30.

Thus, Q-Line's motion to dismiss is moot because it was premised on the argument that there was no personal jurisdiction over Defendants in the Northern District of Illinois. Because the case is now in the Southern District of Ohio, the Court **DENIES AS MOOT** Q-Line's motion to dismiss (Doc. No. 17).

IT IS SO ORDERED.

April 22, 2024

s/Michael J. Newman
Hon. Michael J. Newman
United States District Judge